

# House Study Bill 121 - Introduced

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON WAGNER)

## A BILL FOR

1 An Act modifying water service requirements for rural water  
2 providers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 357A.2, subsections 3 and 4, Code 2011,  
2 are amended to read as follows:

3 3. a. Water services, other than water services provided as  
4 of April 1, 1987, shall not be provided within two miles of the  
5 limits of a city by a rural water district incorporated under  
6 this chapter or chapter 504 except as provided in this section.  
7 b. Water services, other than water services provided as  
8 of July 1, 2011, shall not be provided within two miles of  
9 the limits a city by a rural water association incorporated  
10 under this chapter or chapter 504, except as provided in this  
11 section.

12 4. A rural water district or rural water association  
13 incorporated under this chapter or chapter 504 may give notice  
14 of intent to provide water service to a new area within two  
15 miles of a city by submitting a water plan to the city. The  
16 plan is only required to indicate the area within two miles  
17 of the city which the rural water district or rural water  
18 association intends to serve. If the city fails to respond  
19 to the rural water district's or rural water association's  
20 plan within ninety days of receipt of the plan, the rural  
21 water district or rural water association may provide service  
22 in the area designated in the plan. The city may inform the  
23 rural water district or rural water association within ninety  
24 days of receipt of the plan that the city requires additional  
25 time or information to study the question of providing water  
26 service outside the limits of the city. If additional time or  
27 information is required, the city shall respond to the rural  
28 water district's or rural water association's plan within one  
29 hundred eighty days of receipt of the plan. In responding to  
30 the plan, the city may waive its right to provide water service  
31 within the areas designated for service by the rural water  
32 district or rural water association, or the city may reserve  
33 the right to provide water service in some or all of the areas  
34 which the rural water district or rural water association  
35 intends to serve. If the city reserves the right to provide

1 water service within some or all of the areas which the rural  
2 water district or rural water association intends to serve, the  
3 city shall provide service within four years of receipt of the  
4 plan. This section does not preclude a city from providing  
5 water service in an area which is annexed by the city.

6 EXPLANATION

7 This bill amends Code section 357A.2 to restrict both a rural  
8 water district and a rural water association from providing  
9 water service within two miles of a city. A rural water  
10 district or a rural water association that intends to provide  
11 such water service is required to notify the city council or  
12 the city's utility board.

13 The bill identifies both rural water districts and rural  
14 water associations. A rural water association is not a  
15 district, i.e., organized under Code chapter 357A.